

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

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|------------------------------------|---|-------------------------------------|
| Gwendolyn Ann Thomas, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Civil Action No.: 0:11-cv-01393-TLW |
| |) | |
| Michael J. Astrue, Commissioner of |) | |
| Social Security Administration, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

ORDER

Before the Court is the plaintiff's motion for attorney's fees and costs pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. (Doc. #29). The plaintiff, Gwendolyn Thomas ("plaintiff"), brought this action pursuant to 42 U.S.C. §§ 405(g) and 1383(c)(3) to obtain judicial review of a final decision of the defendant, Commissioner of Social Security Administration ("Commissioner" or "defendant"), denying her claims. (Doc. #1).

On March 6, 2012, the Commissioner filed a Motion for Entry of Judgment with Order of Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g). (Doc. #26). On March 23, 2012, after consideration of the Commissioner's motion, the Court issued an Order reversing the Commissioner's decision and remanding the case to the Commissioner for further administrative proceedings. (Doc. #27).

On June 5, 2012, counsel for the plaintiff filed a motion for attorney's fees and costs pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. (Doc. #29). In the motion, plaintiff seeks reimbursement for attorney representation in this matter in the total amount of

\$4,379.00, which accounts for attorney's fees in the amount of \$4,356.00 (24.2 hours at \$180.00 per hour) and total costs and expenses in the amount of \$23.00. (Doc. #29-1, 29-2). On June 22, 2012, the Commissioner filed a response to plaintiff's motion, in which the Commissioner notifies the Court that he does not oppose plaintiff's motion. (Doc. #31).

Based on the foregoing and after carefully considering the briefs and materials submitted by the parties, the Court finds counsel's request for fees reasonable. **IT IS HEREBY ORDERED** that Plaintiff's Motion for Attorney's Fees Under the Equal Access to Justice Act (Doc. #29) is **GRANTED**. Accordingly, the plaintiff is awarded the total amount of \$4,379.00, which accounts for attorney's fees in the amount of \$4,356.00 (24.2 hours at \$180.00 per hour), expenses in the amount of \$16.00, and costs in the amount of \$7.00.

IT IS SO ORDERED.

s/ Terry L. Wooten
TERRY L. WOOTEN
Chief United States District Judge

January 31, 2013
Columbia, South Carolina